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SEP 20 2004

OFFICE OF PETITIONS

In re Application of	:	
Perel, et al.	:	
Application No. 09/924,004	:	ON PETITION
Filed: August 7, 2001	:	
Attorney Docket No. 00-SM6-262	:	

This is a decision on the petition under 37 CFR 1.137(b), filed July 8, 2004, to revive the above-identified application.

The petition under 37 CFR 1.137(b) is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition Under 37 CFR 1.137(b)." This is **not** a final agency decision within the meaning of 5 USC 704.

The above-identified application became abandoned for failure to timely file a response to the non-final Office action mailed September 11, 2003. This Office action set a shortened statutory period for reply of three months. No extensions of time under 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned on December 12, 2003. A Notice of Abandonment was mailed on June 28, 2004.

A grantable petition under 37 CFR 1.137(b) must be accompanied by: (1) the required reply, unless previously filed; (2) the petition fee as set forth in 37 CFR 1.17(m); (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional; and (4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required by 37 CFR 1.137(d).

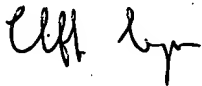
The instant petition lacks item (2), the petition fee. Petitioner's Deposit Account lacked a sufficient balance to charge the \$1,330 petition fee. On renewed petition, petitioner must submit the petition fee in full. Petitioner is reminded that effective October 1, 2004, the petition fee will increase to \$1,370.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petitions
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

By FAX: (703) 872-9306
 Attn: Office of Petitions

Telephone inquiries concerning this decision should be directed to the undersigned at (703) 305-0272.



Cliff Congo
Petitions Attorney
Office of Petitions